

**Notice of Allowability**

Application No.

09/855,239

Examiner

Qamrun Nahar

Applicant(s)

BHANSALI ET AL.

Art Unit

2191

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on 8/19/05.
2. ☒ The allowed claim(s) is/are 1-22 and 24-38, renumbered 1-37.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**TUAN DAM**  
**SUPERVISORY PATENT EXAMINER**

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1. This action is in response to the RCE filed on 8/19/05.
2. The rejection under 35 U.S.C. 102(e) as being anticipated by DeLong (U.S. 6,247,169) to claims 1-14, 19-22, 25, 27-28 and 30-38 is withdrawn in view of applicant's amendment and remarks/arguments.
3. The rejection under 35 U.S.C. 103(a) as being unpatentable over DeLong (U.S. 6,247,169) in view of Lethin (U.S. 6,463,582) to claim 18 is withdrawn in view of applicant's amendment and remarks/arguments.
4. The rejection under 35 U.S.C. 103(a) as being unpatentable over Lindholm (U.S. 6,618,855) in view of DeLong (U.S. 6,247,169) to claims 15-17, 26 and 29 is withdrawn in view of applicant's amendment and remarks/arguments.
5. The rejection under 35 U.S.C. 103(a) as being unpatentable over DeLong (U.S. 6,247,169) in view of Lindholm (U.S. 6,618,855) to claims 23 and 24 is withdrawn in view of applicant's amendment and remarks/arguments.
6. Claims 1-4, 9-11, 15, 21-22, 24-30 and 33-36 have been amended.
7. Claim 23 has been canceled.
8. Claims 1-22 and 24-38 are pending.
9. Claims 1-22 and 24-38 are allowed, renumbered 1-37.

***Remarks***

10. The status identifier for claims 35 and 36 states "original". However, markings indicate that these claims are currently amended. Therefore, claims 35 and 36 are interpreted as being "currently amended".

### EXAMINER'S AMENDMENT

11. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel H. Bell (Reg. No. 56,141) on September 28, 2005.

The application has been amended as follows:

#### **In the Claims:**

Please amend claims 15 and 21 as follows:

15. (currently amended) A method of translating computer program code from an input stream in a first language representation into an output stream in a second language representation, and the input stream may or may not be from a trusted source, the method comprising:

translating translatable instructions of the input stream into the output stream;

identifying suspected code and unresolvable code in the input stream;

upon determining by a translator, that the unresolvable code in the input stream cannot be translated from a first language representation into a second language representation, placing at least one second language representation instruction in the output stream responsive to identifying the unresolvable code in the input stream in the

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first language representation wherein the placed at least one second language representation instruction is at least one of a handling instruction or an exception throwing instruction;

determining that the input stream is from a trusted source; and

translating the suspected code in the input stream into the output stream.

21. (currently amended) A method of translating computer program code from an input stream in a first language representation into an output stream in a second language representation, the input stream comprising declarative textual indications, the method comprising:

translating translatable instructions in the input stream into the output stream;

identifying an unresolvable instruction in the input stream wherein a translator is unable to translate the unresolvable instruction from a first language representation into a second language representation;

placing at least one second language representation instruction in the output stream responsive to identifying the unresolvable instruction in the input stream wherein the placed at least one second language representation instruction is at least one of a handling instruction or an exception throwing instruction;

identifying a first language representation of a declarative textual indication in the input stream, the declarative textual indication indicating how to handle an unresolvable instruction encountered in the input stream ~~wherein an unresolvable instruction in the input stream is an instruction a translator is unable to translate from a first language representation into a second language representation in the output stream; and~~

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translating the first language representation of the declarative textual indication in the input stream into the second language representation of the declarative textual indications in the output stream; and

whereby the second language representations of the declarative textual indications are available to a next phase of translation, the next phase of translation able to use the second language representation of the declarative textual indication as a resource for determining how to handle an unresolvable instruction encountered by the next phase of translation as the next phase translates the output stream into a third language representation.

- END -

### **REASONS FOR ALLOWANCE**

12. The following is an examiner's statement of reasons for allowance:

The closest cited prior arts, DeLong (U.S. 6,247,169), Lethin (U.S. 6,463,582), and Lindholm (U.S. 6,618,855) teach a method of translating computer program code from a first language representation into a second language representation. However, the cited prior art taken alone or in combination fail to teach, in combination with the other claimed limitations, "identifying an unresolvable code ...; placing at least one second language ...; wherein the placed at least one second ..." as substantially recited in each of independent claims 1, 15, 21, 25-30 and 34; further fail to teach "identifying a first unresolvable instruction ...; and identifying a second unresolvable instruction ..." as

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recited in independent claim 24; and as pointed out by the applicant's remarks/arguments on pg. 14, par. 3 to pg. 16, par. 2; and pg. 16, par. 6 to pg. 19, par. 6.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

13. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached on (571) 272-3695. The fax phone number for the organization where this application or processing is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QN  
September 29, 2005



**TUAN DAM**  
**SUPERVISORY PATENT EXAMINER**